

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION - YOUNGSTOWN

IN RE:) CASE NO. 18-41519
)
Anthony Michael Donnadio) CHAPTER 13
Melissa Marie Donnadio)
) JUDGE Russ Kendig
Debtors)
) **OBJECTION TO CONFIRMATION**
) **OF THE CHAPTER 13 PLAN**
)
)

Now comes Santander Consumer USA, Inc., a creditor herein holding a secured claim in the within proceedings, by and through counsel, pursuant to 11 U.S.C, Section 1324 and objects to the confirmation of the plan, based upon the proposed valuation of the collateral for the following reasons:

1. The within case was filed on July 20, 2018 and is governed by BAPCPA of 2005.

2. Creditor has a security interest in a 2013 Buick Verano VIN# 1G4PP5SK0D4108327.

3. On March 7, 2017, the Debtor Anthony Michael Donnadio obtained a loan from Creditor for the purchase of said 2013 Buick Verano VIN# 1G4PP5SK0D4108327, which has a balance of \$9,650.50.

4. The Debtor's Chapter 13 plan does not provide for creditor's lien retention until either payment in full under non-

bankruptcy law, or upon discharge under Section 1328, as required pursuant to 11 U.S.C. §1325(a)(5)(B)(i).

5. Debtor shall provide Creditor with proof of insurance for the 2013 Buick Verano VIN# 1G4PP5SK0D4108327 prior to the confirmation of the Chapter 13 Plan.

6. The objection that is raised herewith is a standing objection and shall continue with reference to the currently proposed plan and any subsequently modified plan or plans.

WHEREFORE, Creditor prays that this Court deny confirmation of the Debtor(s) proposed Chapter 13 Plan.

Respectfully Submitted;

/s/ Cynthia A. Jeffrey
Reimer Law Co.
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BY: Edward A. Bailey #0068073
BY: Richard J. LaCivita #0072368
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Attorneys for Creditor
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Notice of Hearing

Parties in interest shall take notice that the within Objection of Santander Consumer USA, Inc. to Confirmation of Chapter 13 Plan shall come on for hearing on November 1, 2018 at 2:00 p.m., in conjunction with the Confirmation hearing in the within matter in the Clerk of Courts, United States Bankruptcy Court, Nathaniel R. Jones Federal Building & U.S. Courthouse 10 East Commerce Street, Youngstown, OH 44503-1621.

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CERTIFICATE OF SERVICE

I certify that on October 8, 2018, a true and correct copy of the Objection was served:

Via the Court's Electronic Case Filing System on these entities and individuals who are listed on the court's Electronic Mail Notice List:

1. Office of the U.S. Trustee at (registered address)@usdoj.gov
2. Michael A. Gallo on behalf of the Chapter 13 Trustee's office at mgallo@gallotrustee.com
3. Robert A Ciotola, Esq. on behalf of Anthony Michael Donnadio, Debtor, at rac@raciotola.com

And by regular U.S. mail, postage prepaid, to:

1. Anthony Michael Donnadio
Melissa Marie Donnadio, Debtors
5244 Kennedy Road
Lowellville, OH 44436

/s/ Cynthia A. Jeffrey

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